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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 4373**
Hiroshi HIRAI et al. : Attorney Docket No. 2005_0629A
Serial No. 10/532,677 : Group Art Unit 1624
Filed June 15, 2005 : Examiner T. Truong
NOVEL QUINOXALINONE DERIVATIVES : **Mail Stop: Amendment**

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Official Action dated April 20, 2007.

The Official Action constitutes a requirement for restriction.

Applicants elect Group 2a for further examination with traverse.

Applicants respectfully submit that the invention of Group 2a should be examined together with the inventions of Group 2b, 2c and 2d in the present application for the following reasons.

(1) It is to be noted that in the International Preliminary Report on Patentability, the unity of the present invention was recognized. Please see item 4, Box No. IV on the International Preliminary Report on Patentability attached hereto.

(2) Further, the compound of the present invention has quite a unique structure as compared with that of the prior art. No prior art references which influence the patentability of the present invention (Categories X and Y, etc.) have been found, as shown in the International Search Report.

Particularly, the compound of formula (I) wherein B is $B_1(B_1')$ - $B_2(B_2')$ - $B_3(B_3')$ - $B_4(B_4')$ - $B_5(B_5')$ and X is NH, S, O or CH_2 has an inhibiting activity of Cdk and shows an excellent

antitumor activity. Thus, it is to be recognized that all of the compounds of the present invention wherein X is NH, S, O or CH₂ have quite a unique common structure and a closely technical relationship with each other. Thus, these compounds constitute a single inventive concept.

Therefore, the inventions of Group 2a to 2d are very related with each other. Moreover, it is burdensome to Applicant that Group 2 elected in the previous Restriction Requirement is further divided into Groups 2a to 2d in the present Restriction Requirement.

Numerous patents have issued in which a claimed compound included a ring structure wherein a substituent of the ring (e.g. X) may be NH, S, O and/or CH₂. See e.g. U.S. Patent No. 5,149,357, U.S. Patent No. 6,713,472 and U.S. Patent No. 6,946,473.

In view of the foregoing, favorable reconsideration and examination of Groups 2a-2d is respectfully solicited.

Respectfully submitted,

Hiroshi HIRAI et al.

By: Warren M. Cheek, Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicants

WMC/dlk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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